

REMARKS

Claims 1, 2, 4-7, 14-18, 22-25, 28, and 62-73 are pending in the subject application. Claims 1, 2, 5, and 22 stand rejected under 35 U.S.C. 102(b) or (e). Claims 4, 6, 7, 14-18, 23-25, and 28 stand rejected under 35 U.S.C. 103(a). Claim 1 has been amended. Claims 3-61 have been canceled. Claims 62-73 have been newly added.

The Applicants appreciate the Examiner's thorough examination of the subject application and respectfully request reconsideration of the subject application based on the above amendments and the following remarks.

35 U.S.C. § 102(e) REJECTION

The Examiner has rejected claims 1 and 2 under 35 USC 102(e) as unpatentable over U.S. Patent Number 6,108,292 to Zijp ("Zijp" or the "Zijp Reference"). The Applicants respectfully traverse these rejections based on the amendment to claim 1 and the following remarks.

The invention as claimed in amended claim 1 recites a configuration in which the air pressures between the disk 1 and the stabilizing board 5 and between the stabilizing slider 7 and the disk are balanced. More specifically, the slider 7 can oscillate in a direction normal to the surface of the disk 1. Hence, air pressures between the disk 1 and the slider 7 and/or between the disk 1 and the stabilizing board 5, e.g., resulting from the airflow created as the disk 1 rotates or from movement of the stabilizing board 5, can be balanced as the slider 7 oscillates up or down. This is effective in efficiently suppressing flutter that occurs at portions of the disk facing the stabilizing board and the stabilizing slider (portions irradiated with the light of the objective lens (focusing means)), thereby improving recording and reproducing of information in and from the disk with the objective lens (focusing means) having the stabilizing board. See, e.g., Specification, page 7, lines 14-18.

In contrast, the Zijp reference discloses an optical scanning unit that includes a lens system for focusing a light beam to a point on the recording medium. The disclosed lens system includes a first lens unit 9a1, 109a1 and a second lens unit 9b1, 109b1. The second lens unit 9b1, 109b1 is rotated by a rotation element 15, 115. A pattern of grooves on the surface of the rotation element 15, 115 increases the air pressure between the rotation element 15, 115 and the recording medium 1, 101. More specifically,

During rotation of the rotation element 115, hence when the rotation motor is energized, the spiral groove bearing which is present ensures that pressure is built up in the medium, for example in the form of air, between the stationary and rotary bearing sections, which not only results in a perfect bearing but also in a force on the second lens unit 109b, which force is directed towards the recording medium. Simultaneously, pressure is built up in the air between the surface 115 provided with grooves 115b and the outer surface 101b of the recording medium 101, which exerts a force on the second lens unit 109b, which force is directed away from the recording medium 101. When the scanning unit is suitably dimensioned, both oppositely directed forces ensure a stable position of the second lens 109b1 at a defined distance d from the recording medium 101, so that an accurate tracking of the outer surface 101b is ensured during scanning. In order that the required movements of the lens unit 109b during tracking of the outer surface 101b are made possible, the bearing in this example is dimensioned in such a way that the rotation element 115 can perform tilted movements with respect to the stationary element 117 secured to the first lens unit 109a through a rigid connection 122.

Zijp, col. 6, lines 8-30 (Emphasis added). However, Zijp does not teach, mention or suggest a recording and reproducing device that includes a stabilizing board on one side of the disk and a vertically-oscillating slider opposite the stabilizing board on the other side of the disk that is used to balance the air pressures between the slider and the disk and/or between the stabilizing board and the disk.

Accordingly, the Applicants assert that the claims 1 and 2 are not anticipated or made obvious by the cited references and, further, satisfy the requirements of 35 U.S.C. 100, et seq., especially § 102(e). As such, the Applicants believe that the claims are allowable. Moreover, it is respectfully submitted that the subject application is in condition for allowance. Early and favorable action is requested.

35 U.S.C. § 102(b) REJECTION

The Examiner has rejected claims 5 and 22 under 35 USC 102(b) as unpatentable over U.S. Patent Number 5,497,359 to Mamin, et al. ("Mamin" or the "Mamin Reference"). Claims 5 and 22 have been canceled. Accordingly, the grounds for rejection are moot.

35 U.S.C. § 103(a) REJECTION

The Examiner has rejected claim 4 under 35 USC 103(a) as unpatentable over Zijp in view of U.S. Patent Number 5,189,574 to Imamura, et al. ("Imamura" or the "Imamura Reference"); claims 6, 7, and 23-25 under 35 USC 103(a) as unpatentable over Mamin in view of U.S. Patent Number 6,404,705 to Watanabe, et al. ("Watanabe" or the "Watanabe Reference"); claims 14-18 under 35 USC 103(a) as unpatentable over Zijp in view Watanabe; and claim 28 under 35 USC 103(a) as unpatentable over Mamin in view of Imamura. These rejections are now moot in light of the cancellation of claims 3-61.

New Claims 62-74

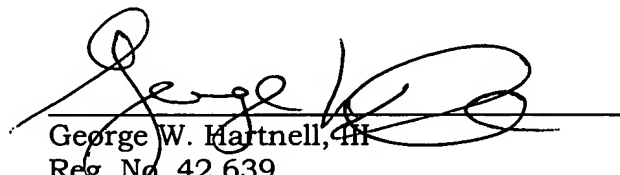
Claims 62-74 have been newly added and find their support in FIGs. 1 and 2. The new claims depend from claim 1, which, the Applicants respectfully assert is allowable. Accordingly, claims depending from claim 1 are also allowable.

Accordingly, the Applicants assert that the claims 62-73 are not anticipated or made obvious by the cited references and, further, satisfy the requirements of 35 U.S.C. 100, et seq. As such, the Applicants believe that the claims are allowable. Moreover, it is respectfully submitted that the subject application is in condition for allowance. Early and favorable action is requested.

The Applicants believe that no additional fee is required for consideration of the within Response. However, if for any reason the fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. **04-1105**.

Respectfully submitted,

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